

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

DONNELL QUARTERMAN,

Plaintiff,

v.

GREYHOUND BUSLINE INC.,

Defendant.

CIVIL ACTION NO.: 4:19-cv-290

**ORDER**

After a careful de novo review of the entire record, the Court concurs with the Magistrate Judge's June 25, 2020, Report and Recommendation, (doc. 3), to which the defendant has filed objections, (doc. 6). Plaintiff asserts that in recommending the denial of his motion to proceed *in forma pauperis* and the dismissal of this case the Magistrate Judge misconstrued his initial filing as a complaint, rather than a motion to toll the statute of limitations applicable to a yet unfiled 28 U.S.C. § 1983 claim, (Doc. 6). As a motion to toll a statute of limitations is not actionable in the absence of an active case, the Magistrate Judge charitably construed the motion as a complaint. In doing so, he found that the Court lacked jurisdiction to proceed. (Doc. 3). Plaintiff has offered no facts in support of the Court's jurisdiction nor identified any errors in the Magistrate Judge's findings. In the absence of jurisdiction, the complaint must be dismissed. Fed. R. Civ. P. 12(h)(3).

Accordingly, the Court **ADOPTS** the Report and Recommendation as its opinion. The Court **DENIES** Plaintiff's motion to proceed *in forma pauperis* and **DIRECTS** the Clerk of Court to close this case.

**SO ORDERED**, this 19th day of August, 2020.

A handwritten signature in blue ink, appearing to read "R. Stan Baker". The signature is stylized with a large "R" and "S".

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R. STAN BAKER  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA